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74

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,431	09/19/2003	Rento Tanase	P 306046 H7975US	8307
7590	07/26/2005		EXAMINER	
Pillsbury Winthrop LLP Intellectual Property Group Suite 2800 725 South Figueroa Street Los Angeles, CA 90017-5406			GREEN, CHRISTY MARIE	
			ART UNIT	PAPER NUMBER
DATE MAILED: 07/26/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/666,431	TANASE ET AL.
	Examiner Christy M. Green	Art Unit 3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 March 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-14 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)  
 \_\_\_\_\_

## **DETAILED ACTION**

This is a second office action for serial number 10/666431, entitled Hollow Pane, filed on September 18, 2003.

### ***Response to Amendment***

In response to the examiner's office action dated 11/26/04, the applicant has amended claims 1, 3, 5, 8, 12 and added claims 13-14.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-7, 9, 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Guiton, US Patent # 5,069,737.

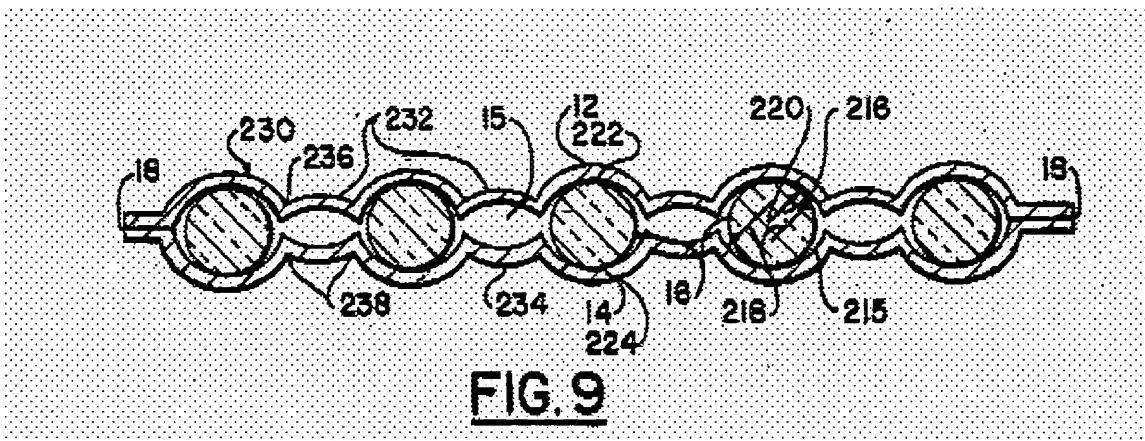
Guiton discloses the claimed invention a hollow panel (figure 8-L) comprising: first hollow portions (at 82) arranged in a substantially same plane and having a first sectional areas (where 82 is located); and second hollow portions (at 94) arranged in the substantially same plane and having a second sectional areas (where 94 is located) different from the first sectional areas (figure 8-L), wherein partition walls of the first and second hollow portions are made of the same material (column 5, lines 59-61); the first hollow portion and the second hollow portion are alternatively arranged in the substantially same plane (figure 8-L); a sectional shape of the first and second hollow portions is a trapezoidal (Figure 8-L); first hollow portions (at 82) arranged in a

substantially same plane and having a first width; second hollow portions (at 94) arranged in the substantially same plane and having a second width ( figure 8-L – w2) different from the first width; the first width is defined between a pair of partition walls defining the first hollow portion, and the second width is defined between a pair of partition walls defining the second hollow portion ( figure 8-L); the first and second hollow portions are alternatively arranged in the substantially same plane (figure 8-L).

Guition further discloses a hollow panel comprising first hollow portions arranged in a substantially same plane and having first sectional areas ( figure 2), and second hollow portions arranged in the substantially same plane and having second sectional areas ( figure 2), where a solid portion (60) forming member is inserted into a part of the first and second hollow portions, the solid portion forming member having a section shape (figure 6) which substantially corresponds to a section shape of the part of the first and second hollow portions ( figure 2).

Claims 1-3, 5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Benson et al., US Patent # 5,157,893.

In regards to claims 1-3, Benson discloses the claimed invention a hollow panel (figures 5 and 7-9) comprising: first hollow portions (at 230 – figure 9) arranged in a substantially same plane and having a first sectional areas (see figure 9 on next page); and second hollow portions (at 232) arranged in the substantially same plane and having a second sectional areas (at 15) different from the first sectional areas (see figure 9 on next page), wherein partition walls (12 and 14) of the first and second hollow



**FIG. 9**

portions are made of the same material (metal - column 7, lines 53-56); the first hollow portion and the second hollow portion are alternatively arranged in the substantially same plane (figure 9); a solid portion forming member (16) is inserted into part of one of the first (shown in figure 9) and second hollow portions (shown in figure 11), the solid portion forming member (16) having a section shape which substantially corresponds to a section shape of the part of first and second hollow portion (figures 9 and 11).

In regards to claims 5 and 8, Benson further discloses a first hollow portion having a first width (see figure 9 above), and second hollow portions arranged in the substantially same plane and having a second width different from the first width (see figure 9 above).

Claims 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Rainville, US Patent # 4,530,197.

Rainville discloses the claimed invention a hollow panel (1 – figure 1), comprising first (16) and second (18) partition walls defining a plurality of hollow portions (figure 1) arranged in substantially the same plane (by 10 and 50), where the thickness of the first

partition wall (16) is different from that of the second partition wall (18 – column 4, lines 50-51); the first and second partition walls (16, 18) are alternatively arranged (figure 1); a solid portion forming member (30) is inserted into part of the hollow portions (figure 5), the solid portion forming member (30) having a section shape which is substantially corresponds to a section shape of the part of the first and second hollow portions (seen in figure 5).

***Response to Arguments***

Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christy M. Green whose telephone number is 571-272-6844. The examiner can normally be reached on M,T,TH 10:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cg  
June 6, 2005



Carl L. Friedman  
Supervisory Patent Examiner  
Group 3600